

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Conf. No.: 4786
Karsten EULENBERG, et al.)	
)	Art Unit: 1652
Serial No. 10/529,366)	
)	Examiner: Iqbal Chowdhury
Filing Date: March 28, 2005)	
)	
For: SSRP, ASTRAY, STRING, VACM)	
ASSOCIATED WITH METABOLIC)	
CONTROL)	


RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement mailed May 18, 2007, Applicants provisionally elect with traverse Group III which encompasses Claims 1 and 33 to a modulator of a nucleic acid molecule. The restriction requirement is respectfully traversed on the basis that the examination of Group III with Group VII (Claim 16), drawn to a method of making a medicament by using a modulator of a nucleic acid molecule are linked to form a single general inventive concept. The use of said modulator of a nucleic acid for the manufacture of a medicament concerns the same single invention as the pharmaceutical composition itself and the kit thereof and does not require a burden on the Patent Office to search for both claims.

I hereby certify that this correspondence is being submitted electronically, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 18, 2007.

007. 

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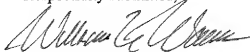
In order for a restriction requirement to be appropriate, there must be a serious burden on the Patent Office to search all of the inventions, and the inventions must be independent or distinct as claimed. For the foregoing reason, Applicants respectfully elect with traverse Group III (Claims 1 and 33).

Species Election:

Applicants provisionally elect with traverse the specific human SKRP gene (NM_080876). Applicants reserve the right to have additional species examined in this application upon an indication of allowability of the elected species.

The foregoing is submitted as a full and complete response to the Restriction Requirement mailed May 18, 2007. If there are any issues which can be resolved by telephone conference, the Examiner is invited to call the undersigned attorney at (404) 853-8081. A Petition for a Three-Month Extension of Time is enclosed. No additional fees are believed to be due, however, the Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 19-5029.

Respectfully submitted,



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